

S.R. 9 - By Sharp: Extending welcome to Dr. Henry Lopez-Roman of Victoria, Capitol Physician for the Day.

ADJOURNMENT

On motion of Senator Brooks, the Senate at 11:43 o'clock a.m. adjourned until 11:00 o'clock a.m. tomorrow.

APPENDIX

Sent to Governor
(September 10, 1986)

S.C.R. 1

FOURTH DAY

(Thursday, September 11, 1986)

The Senate met at 11:00 o'clock a.m., pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Barrientos, Blake, Brooks, Brown, Caperton, Edwards, Farabee, Glasgow, Harris, Henderson, Jones, Kothmann, Krier, Leedom, Lyon, McFarland, Mauzy, Montford, Parker, Sims, Traeger, Truan, Uribe.

Absent: Howard.

Absent-excused: Green, Parmer, Santiesteban, Sarpalius, Sharp, Washington, Whitmire.

A quorum was announced present.

(Senator Traeger in Chair)

Senator Bob Glasgow offered the invocation as follows:

Almighty God in Heaven, hallowed be Thy name, Thy kingdom come, Thy will be done on earth as it is in heaven. We pray that You give us the vision to see and understand Your will and grant us the wisdom to conform our actions to Thy will. In Your name, we pray. Amen.

On motion of Senator Brooks and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

LEAVES OF ABSENCE

Senator Parmer was granted leave of absence for today on account of important business on motion of Senator Barrientos.

Senator Sarpalius was granted leave of absence for today on account of important business on motion of Senator Sims.

Senator Santiesteban was granted leave of absence for today on account of important business on motion of Senator Sims.

Senator Whitmire was granted leave of absence for today on account of important business on motion of Senator Brooks.

Senator Sharp was granted leave of absence for today on account of important business on motion of Senator Traeger.

Senator Washington was granted leave of absence for today on account of important business on motion of Senator Brooks.

Senator Green was granted leave of absence for today on account of important business on motion of Senator Brooks.

GUEST PRESENTED

Senator Henderson was recognized and introduced the Capitol Physician for the Day, Dr. Vincent Bash of Houston.

The Senate welcomed Dr. Bash and extended their appreciation to him for his service.

MESSAGE FROM THE HOUSE

House Chamber
September 11, 1986

HONORABLE W. P. HOBBY
PRESIDENT OF THE SENATE

SIR: I am directed by the House to inform the Senate that the House has passed the following:

H.C.R. 13, In memory of Paul Harang.

S.B. 1, General Appropriations bill for 1987. (As substituted)

Respectfully,

BETTY MURRAY, Chief Clerk
House of Representatives

REPORTS OF STANDING COMMITTEES

Senator Jones submitted the following report for the Committee on Finance:

S.B. 27
C.S.S.B. 5

Senator Edwards submitted the following report for the Committee on Nominations:

We, your Committee on Nominations, to which were referred the attached appointments, have had same under consideration, and report them back to the Senate for final consideration.

To be a Member of the COMMISSION ON JAIL STANDARDS: Roy Lee Orr, Dallas County.

To be a Member of the BOARD OF REGENTS, TEXAS STATE UNIVERSITY SYSTEM: Sheila Wheatley Clark, Harris County.

To be Members of the TEXAS DIABETES COUNCIL: Carolyn Grubb, Travis County; David C. Warner, Ph.D., Travis County.

To be a Member of the TEXAS BOARD OF EXAMINERS OF DIETITIANS: James T. Moore, Travis County.

To be a Member of the FAMILY PRACTICE RESIDENCY ADVISORY COMMITTEE: Exalton Delco, Ph.D., Travis County.

SENATE BILLS AND RESOLUTION ON FIRST READING

The following bills and resolution were introduced, read first time and referred to the Committee indicated:

S.B. 29 by Montford Finance
Relating to the transfer of tax credits allowed on the sale of gasohol.

S.B. 30 by Montford Finance
Relating to the transfer of funds from the state highway fund to the general revenue fund.

S.B. 31 by Montford Finance
Relating to appropriations from the state highway fund.

S.B. 32 by Krier Health and Human Resources
Relating to the number of residents a foster care type residential facility may serve without being licensed under the convalescent and nursing home law.

S.B. 33 by Blake State Affairs
Relating to the sale of Texas souvenirs in the Capitol; amending Subsections (a) and (b), Section 11A, Chapter 476, Acts of the 68th Legislature, Regular Session, 1983, as added (Article 6145-14, Vernon's Texas Civil Statutes).

S.B. 34 by Traeger State Affairs
Relating to state payments to the Employees Retirement System of Texas and the Teacher Retirement System of Texas.

S.C.R. 12 by Barrientos, Farabee State Affairs
Establishing the interim committee of Task Force on State Electricity Purchase to study the State's options regarding purchase or self-generation of electricity for State-owned office buildings in Austin.

(President in Chair)

SENATE RESOLUTION 78

Senator Brooks offered the following resolution:

S.R. 78, In memory of Wayne Wright Johnson, Jr.

The resolution was read.

On motion of Senator Parker and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

GUESTS PRESENTED

The President requested that Senators Brooks and Parker escort the family of Mr. Johnson to the President's Rostrum.

Senator Brooks introduced Mr. Johnson's son, Wayne Wright Johnson III; his daughter, Pam Gaskin and granddaughters, Courtney and Morgan.

The President presented an enrolled copy of **S.R. 78**, adopted by the Senate on August 29, 1986, in the 2nd Called Session, 69th Legislature, to the family.

SENATE RESOLUTION 11

Senator Caperton offered the following resolution:

WHEREAS, Making up more than half of the Texas population, women have and are making significant contributions to the state in traditional family and civic roles, and they are also utilizing their skills and talents in working for the state's growth and development as business, political, and community leaders; and

WHEREAS, Governor Mark White has designated September 14-20, 1986, as "Women in Texas Week" in honor of the outstanding achievements of Texas women and to increase public awareness of the abilities and accomplishments of today's women; and

WHEREAS, In conjunction with Women in Texas Week, the Governor's Commission for Women will inaugurate 13 women into the Texas Women's Hall of Fame; these women are to be honored for their preeminent achievements and noteworthy contributions to the state in the following categories: agriculture and ranching, Mary Lavinia Griffith of Paige; athletics, Jody Conradt of Austin; business, Mary Kay Ash of Dallas; civic leadership, Ada Simond of Austin; communications, Caro Crawford Brown of Corpus Christi; education, Wilhelmina Ruth Fitzgerald Delco of Austin; health care, May Owen of Fort Worth; legal, Hermine Dalkowitz Tobolowsky of Dallas; literary arts, Margaret Cousins of San Antonio; public service, Anne Legendre Armstrong of Armstrong; science and technology, Sally Kirsten Ride of Clear Lake; volunteerism, Alicia R. Chacon of El Paso and Frances E. Goff of Houston; and

WHEREAS, One hundred and fifty women have been identified as representative of the many hundreds of great women in Texas history who have helped shaped the state as we know it; and

WHEREAS, It is appropriate that we pay tribute to the contributions and the dedicated public service of the women of the past and present; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 69th Legislature, 3rd Called Session, hereby recognize September 14-20, 1986, as Women in Texas Week.

The resolution was read and was adopted viva voce vote.

SENATE RULE 74a SUSPENDED

On motion of Senator Jones and by unanimous consent, Senate Rule 74a was suspended as it relates to House amendment to S.B. 1.

SENATE BILL 1 WITH HOUSE AMENDMENT

Senator Jones called S.B. 1 from the President's table for consideration of the House amendment to the bill.

The President laid the bill and the House amendment before the Senate.

The amendment was read.

Senator Jones moved that the Senate do not concur in the House amendment, but that a Conference Committee be appointed to adjust the differences between the two Houses on the bill.

The motion prevailed.

The President asked if there were any motions to instruct the Conference Committee on S.B. 1 before appointment.

On motion of Senator Glasgow and by unanimous consent, the Senate agreed to instruct the Senate Conferees to approach possible cuts in funds to higher education with sensitivity and wisdom and to agree to such cuts as only absolutely necessary.

The President announced the appointment of the following conferees on the part of the Senate on the bill: Senators Jones, Chairman; Caperton, Montford, McFarland, Farabee.

NOTICE OF CONSIDERATION OF NOMINATIONS

Senator Edwards gave notice that he would early next week submit to the Senate for consideration nominations to agencies, boards and commissions of the State.

(Senator Parker in Chair)

SENATE BILL 6 ON SECOND READING

On motion of Senator Jones and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 6, Relating to the transfer of certain amounts from certain special funds to the general revenue fund.

The bill was read second time and was passed to engrossment viva voce vote.

RECORD OF VOTE

Senator Krier asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

(President in Chair)

SENATE BILL 6 ON THIRD READING

Senator Jones moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 6** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 22, Nays 1.

Nays: Krier.

Absent: Howard.

Absent-excused: Green, Parmer, Santiesteban, Sarpalius, Sharp, Washington, Whitmire.

The bill was read third time and was passed by the following vote: Yeas 22, Nays 1. (Same as previous roll call)

MOTION TO PLACE SENATE BILL 7 ON SECOND READING

Senator Jones moved to suspend the regular order of business to take up for consideration at this time:

S.B. 7, Relating to the withholding, transfer, time of payment, and commitment of legislative appropriations.

The motion was lost by the following vote: Yeas 14, Nays 8. (Not receiving two-thirds vote of Members present)

Yeas: Blake, Caperton, Edwards, Farabee, Glasgow, Harris, Henderson, Jones, Krier, Leedom, McFarland, Montford, Sims, Traeger.

Nays: Barrientos, Brooks, Kothmann, Lyon, Mauzy, Parker, Truan, Uribe.

Absent: Brown, Howard.

Absent-excused: Green, Parmer, Santiesteban, Sarpalius, Sharp, Washington, Whitmire.

SENATE BILL 9 ON SECOND READING

On motion of Senator Farabee and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 9, Relating to the use of funds belonging to patients in institutions under the jurisdiction of the Texas Department of Mental Health and Mental Retardation.

The bill was read second time and was passed to engrossment viva voce vote.

SENATE BILL 9 ON THIRD READING

Senator Farabee moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that **S.B. 9** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 23, Nays 0.

Absent: Howard.

Absent-excused: Green, Parmer, Santiesteban, Sarpalius, Sharp, Washington, Whitmire.

The bill was read third time and was passed by the following vote: Yeas 23, Nays 0. (Same as previous roll call)

MESSAGE FROM THE HOUSE

House Chamber
September 11, 1986

HONORABLE W. P. HOBBY
PRESIDENT OF THE SENATE

SIR: I am directed by the House to inform the Senate that the House has passed the following:

The House has granted the request of the Senate for the appointment of a Conference Committee on **S.B. 1**. House Conferees: Rudd, Chairman; Madla, Toomey, Hollowell, McWilliams.

S.B. 3, Relating to eligibility for a passenger train beverage permit.

Respectfully,

BETTY MURRAY, Chief Clerk
House of Representatives

COMMITTEE SUBSTITUTE SENATE BILL 4 ON SECOND READING

Senator Edwards moved to suspend the regular order of business to take up for consideration at this time:

C.S.S.B. 4, Relating to primaries, other elections, political party conventions, the selection of delegates to national presidential nominating conventions, and procedures related to candidacy for public office; changing certain filing dates and other relevant dates; making appropriate amendments to the Election Code.

The motion prevailed by the following vote: Yeas 21, Nays 2.

Yeas: Barrientos, Blake, Brooks, Brown, Caperton, Edwards, Glasgow, Harris, Henderson, Jones, Kothmann, Krier, Leedom, Lyon, McFarland, Montford, Parker, Sims, Traeger, Truan, Uribe.

Nays: Farabee, Mauzy.

Absent: Howard.

Absent-excused: Green, Parmer, Santiesteban, Sarpalius, Sharp, Washington, Whitmire.

The bill was read second time and was passed to engrossment viva voce vote.

RECORD OF VOTES

Senators Farabee and Mauzy asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

COMMITTEE SUBSTITUTE SENATE BILL 4 ON THIRD READING

Senator Edwards moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that C.S.S.B. 4 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 21, Nays 2.

Yeas: Barrientos, Blake, Brooks, Brown, Caperton, Edwards, Glasgow, Harris, Henderson, Jones, Kothmann, Krier, Leedom, Lyon, McFarland, Montford, Parker, Sims, Traeger, Truan, Uribe.

Nays: Farabee, Mauzy.

Absent: Howard.

Absent-excused: Green, Parmer, Santiesteban, Sarpalius, Sharp, Washington, Whitmire.

The bill was read third time and was passed viva voce vote.

RECORD OF VOTES

Senators Farabee and Mauzy asked to be recorded as voting "Nay" on the final passage of the bill.

SENATE CONCURRENT RESOLUTION 4 ON SECOND READING

On motion of Senator Parker and by unanimous consent, the regular order of business was suspended to take up for consideration at this time:

S.C.R. 4, Directing the Finance Commission of Texas to conduct a study relating to the feasibility and practicality of mortgage company regulation by the State of Texas.

The resolution was read second time and was adopted viva voce vote.

CONGRATULATORY RESOLUTIONS

S.R. 10 - By Caperton: Recognizing the states of Virginia and Tennessee for their contributions to the establishment of the Republic of Texas.

S.R. 16 - By Barrientos: Congratulating Scholz Garten on its 120th birthday.

ADJOURNMENT

On motion of Senator Brooks, the Senate at 12:20 o'clock p.m. adjourned until 11:00 o'clock a.m. Monday, September 15, 1986, in loving memory of Wayne Wright Johnson, Jr. of Texas City, an outstanding Texan who would have celebrated his 68th birthday today.